

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68499 of 2023

Arising Out of PS. Case No.-236 Year-2023 Thana- PARSA District- Saran

Putul Singh @ Kaushal Kumar Singh S/O Ramajanma Singh Vill Fulwariya
Tola Purechapra Bhatha PS Parsa Distt Saran At Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Parsa P.S. Case No. 236 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016. He has got no criminal antecedent.

3. As per the prosecution story, informant got secret information that six accused persons, including this petitioner, are indulged in selling huge quantity of spirit. It is alleged that when the informant reached at the place of occurrence, all the six accused persons tried to flee away but one Baleshwar Singh was arrested and upon search, 20 litres spirit was recovered from his *dalan*.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the recovery of illicit spirit is from the *dalan* of one Baleshwar Singh with which the petitioner has no concern. The allegations against the petitioner are false and flimsy.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the alleged illicit spirit has been found from a place near the *dalan* of one Baleshwar Singh, the petitioner has no control over the said place, the allegations against him are false and flimsy and that the seizure list witnesses are also only the member of the police force and the *chowkidars*, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Parsa P.S. Case No. 236 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chhapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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